

- IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

- (3) The court scheduled a reconvening of that fairness hearing for December 13, 2022 for the purpose of further considering the Davis/Freedlander objections and also considering certain other matters regarding an additional settlement option.
- (4) On November 23, 2022 plaintiff and defense counsel jointly filed their supplemental brief responding to the Davis/Freedlander objections.
- (5) On page nine of their brief, the parties reference Objector Kathryn Dimiduk (ECF No. 67) who they state raised the issue as Davis/Freedlander.
- (6) Objector Davis believes Ms. Dimiduk's testimony would be instructive to the court regarding the process she followed after receiving a premium increase notice in April 2022, the information or lack thereof she was provided and the impact it had on the options now available to her.
- (7) Ms. Dimiduk lives in Ithica, NY and it would be a burden for her to travel to Richmond, VA to testify. However, she is willing to make herself available by way of a Zoom connection.
- (8) Objector Davis believes presenting her testimony would require little court time, certainly less than one half hour.

WHEREFORE, Objector Davis requests leave to present Ms. Dimiduk's testimony by Zoom at the reconvened fairness hearing on December 13, 2022.

Submitted By



Gary M. Davis, Esquire

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CERTIFICATE OF SERVICE

I certify that on the 6th day of December 2022, I caused the foregoing document to be emailed to Nikki Brown, Courtroom Deputy for the Honorable Robert E. Payne, United States District Court Judge for the Eastern District of Virginia, so that she might electronically file it using the CM/ECF System. That email was sent to Nikki_Brown@vaed.uscourts.gov. I also served a copy by email on the following counsel per our agreement at the email addresses specified below:

Michael J. Duvall, Esquire
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